

### **REMARKS**

Applicant cancels claim 2 without prejudice. Claim 33 has previously been canceled. Claims 1, 3-32, and 34-35 are now pending in the application. Applicant amends claims 1, 3-10, 12-13, 16-25, 29-32, and 34-35 for further clarification. No new matter has been added.

Applicant acknowledges with appreciation the Examiner's finding that all of the claims 1-32, and 34-35 under review contained allowable subject matter.

The Examiner objected to claims 1-3, 5-10, 12-13, 16-25, 29-32, and 34-35 for alleged informalities, which Applicant corrects by amendment generally in accordance with the Examiner's suggestions as follows.

Applicant amends claim 1 to more clearly recite "relatively higher," according to the Examiner's suggestion, and "relatively lower" for consistency.

Applicant amends claims 3-4 to more clearly recite source user equipments.

Claim 5 has been amended to refer to **the** measure of **the** quality of service.

Claim 6 has been amended to refer to a corresponding source user equipment, in the plurality of said source user equipments (not in the plurality of said destination user equipments as suggested by the Examiner).

Claim 7 has been amended exactly as per the Examiner's suggestions.

Claim 8 has been amended to add the word "said." However we have placed the word in a slightly different position from that suggested by the Examiner because claim 1 does not define "each of the plurality of destination user equipments."

Claim 9 has been amended exactly as proposed by the Examiner.

Applicant amends claim 10 according to the Examiner's suggestion, also adding an 's' to destination user equipment in line 2.

The Examiner's objection to claim 11 was apparently directed to claim 12. Thus, Applicant amends claims 12-13, 16, 17, 18, 19 and 20 in accordance with the Examiner's suggestions.

Claims 21 to 25 and 29 have been amended to refer consistently to a source user equipment in the plurality of source user equipments. Moreover, in claim 29, the dependency has been amended so that it includes a previous reference to a credit value, and thus, properly recites a new credit value.

In claim 30, the Examiner objected that "the credit value" on line 10 lacked antecedent basis. But the credit value has antecedent basis in the definition on line 6 of claim 30. Applicant amends claim 30 in line with claim 1.

Claim 31 has been amended in correspondence with claim 1 and in line with the Examiner's suggestions. Claim 32 has been amended as suggested by the Examiner. And claims 34 and 35 have been amended as suggested by the Examiner with the additional amendments already detailed above for claim 1.

Accordingly, Applicant respectfully requests that the Examiner withdraw the claim objections.

Claims 1, 7-9, 16-20, and 29 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter.

In accordance with the Examiner's suggestion, Applicant amends base claim 1 to recite "the base station determining a measure of a quality of service from the base station to the plurality of destination user equipments," which incorporates features that correspond to those of claim 2. Accordingly, Applicant respectfully requests that the Examiner withdraw the § 101 rejection.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should

consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

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